

A regular meeting of the Mayor and City Council of the City of Columbus, Nebraska was convened in open and public session on June 18, 2012 at 7 p.m. in the Council Chambers, 1369 25th Avenue, Columbus, Nebraska.

Notice of this meeting was given in advance thereof by publication in the Columbus Telegram on May 30, 2012, with a copy of the proof of publication being on file in the office of the City Clerk. Notice of this meeting was given simultaneously to the Mayor and members of the City Council, with a copy of the acknowledgement of receipt of notice being on file in the office of the City Clerk. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and City Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the public.

STATEMENT OF COMPLIANCE WITH OPEN MEETINGS ACT: Mayor Moser read the following statement: "In compliance with the Open Meetings Act, Legislative Bill 898, Second Session Ninety-Ninth Legislature of Nebraska, a current copy of the Act is posted in this meeting room".

ROLL CALL: Present were Mayor Michael Moser and Council Members Beth Augustine-Schulte, Ron Bogus, Jim Bulkley, Ron Schilling, Rich Jablonski, John Lohr and Terry Reardon. Council Member Charlie Bahr was absent and excused.

City staff members present included City Administrator Joseph Mangiamelli, City Clerk Linda Walters, Finance Director Anne Kinnison, Police Chief William Gumm, City Attorney Steve Hansen, Public Property Director Doug Moore, Fire Chief Dean Hefti and Human Resources Director Mike Oglevie.

PRAYER: Mayor Moser asked all to rise and Council President Bogus led in prayer.

NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE: Mayor Moser asked all to remain standing and join him in the National Anthem and Pledge of Allegiance.

CONSENT AGENDA: City Administrator Mangiamelli stated that the following items are considered routine by the City Council and will be enacted by one motion. He pointed out that there will be no separate discussion of these items unless a City Council Member or a citizen so requests, in which event the item will be removed from consent status and considered in its normal sequence on the agenda.

- A. Approval of minutes of the June 4, 2012, City Council meeting.
- B. Approval of appointment of Ron Bogus, Jim Bulkley and Ron Schilling to Joint City/County Committee for one-year terms.
- C. Approval of reappointment of Nancy Roubal, Police Chief or Designee and Fire Chief or Designee to E911 Technical Committee for two-year terms.

- D. Approval of reappointment of Patricia Ernst and Robert Gangel to Planning Commission for three-year terms.
- E. Approval of award of quote to Obrist & Co. in the amount of \$19,050 to install sewer line from Memorial Stadium to Pawnee Park tennis courts.
- F. Approval of award of low quote to Layne Christensen Co. in the amount of \$40,760 for water line cleaning for Water Production Department. *(The cost of project will be paid through Cooperative Agreement with United States Environmental Protection Agency.)*
- G. Approval of Resolution No. R12-62 authorizing payment of various improvement projects.
- H. Approval of payroll and bills on file. 6/22/2012 Payroll 485,466.24; A & S Detailing – Service 80.00; AAT, Inc. – Chemicals 8,323.40; Ace Hardware & Garden Center – Supplies 2,124.90; Donald D Adkisson – Pension 609.00; Alamar Uniforms – Supplies 685.25; All Star Auto Glass – Service 275.84; American Red Cross Health & Safety Services – Training 976.00; Anderson Auto Body – Service 2,175.77; ANSIR4U – Service 95.00; Aqua-Pure, Inc. – Chemicals 9,651.08; Art Editions Framing & Gallery – Supplies 15.00; AS Central Services – Service 704.00; Asphalt & Concrete Materials – Supplies 1,170.40; Associated Staffing, Inc. – Training 15.00; AT&T – Utilities 28.05; ATCO International – Supplies 429.20; Awards & Engraving – Supplies 62.80; Wesley J Baxa – Pension 1,232.54; Beard-Warren Heating & Air Conditioning – Service 618.32; Beard-Warren Heating & Air Conditioning – Heat Pump 9,695.00; Behlen Auto Repair – Service 126.60; Behlen Towing – Service 800.00; Alfred Benesch & Company – Electrical Vault & Homerun Upgrades 9,305.00; Big Red Printing – Supplies 63.50; Big Red Sanitation – Service 350.00; Bill's Tire Outlet – Service 1,677.00; Bissell Hose Company – Expenses 231.82; Carroll A Bisson – Pension 716.51; Black Hills Energy – Utilities 3,925.67; Frank J Blahak Jr – Pension 762.00; Blazer Manufacturing Co., Inc. – Service 100.00; Bomgaars – Supplies 576.72; Bound Tree Medical LLC – Supplies 3,076.52; Brodart Company – Supplies 112.00; Jed Brunken – Payment 1.00; Buresh Golf & Equipment – Cart Rental 1,400.00; Business Telecommunication Systems – Service 484.21; California Contractors – Supplies 159.70; Carolina Software – Supplies 390.00; Vanessa Casper – Service 20.00; Cat's Pro Mow – Service 203.70; Center Point Large Print – Supplies 87.48; Central Community College – Training 144.00; Central Parts & Machine – Supplies 1,930.04; Central Sand & Gravel Co. – Supplies 111.24; Central Valley Ag – Supplies 55.30; Century Link – Utilities 1,517.44; Jay Cerny Landscaping – Service 125.00; Channing Bete Company, Inc. – Supplies 176.58; City of Columbus – Utilities 83.42; Claritus – Supplies 147.33; CLIA Laboratory Program – License 150.00; Club Prophet Systems – Service 90.00; Columbus Area Chamber of Commerce – Meals 258.34; Columbus Area Chamber of Commerce – Supplies 1,340.00; Columbus Community Hospital – Service/Supplies 237.20; Columbus Custom Embroidery – Service 42.50; Columbus Morning Rotary – Dues 120.00; Columbus Plumbing

Company – Service/Supplies 446.90; Columbus Public Schools – Payment 70.00; Columbus Screen Printing – Supplies 298.00; Columbus Telegram – Publications 1,360.98; Columbus Tire & Service – Service 851.16; Commonwealth Electric Company – Scoreboard 7,427.77; Community Internet – Service 255.00; Connecting Point/Radio Shack – Supplies 310.29; Consolidated Management Co. – Supplies 394.25; Cornhusker Public Power District – Utilities 861.10; CRA Payment Center – Supplies 1,585.65; Credit Bureau Services – Membership 5.00; Creston Fertilizer Co., Inc. – Supplies 2,679.01; Culligan of Columbus – Supplies 130.70; Daktech, Inc. – Supplies 35.00; Danko Emergency Equipment – Supplies 28.00; Deeter Foundry, Inc. – Supplies 1,206.00; Dell Marketing L P – Supplies 297.13; Diamond Vogel Paint Center – Supplies 66.86; Doernemann Construction, Inc. – Contract 3,909.84; Douglas Dunbar – Contract 5,070.00; Douglas Dunbar – Commissions 8,999.37; Douglas Dunbar – Expenses 1,300.73; DXP Enterprises – Supplies 1,228.00; Eakes Office Plus – Supplies 3,242.77; Educational Service Unit #7 – Supplies 187.94; Robin Ehrenberg – Expenses 70.00; Electrical Engineering & Equipment Co. – Supplies 78.46; Endress & Hauser – Supplies 5,314.34; Enterprise Electric CO/CED – Supplies 154.32; EPCO Ltd, Inc. – Supplies 171.00; Excel Commercial – Utilities 50.11; Express Truck Center – Supplies 24.82; Fastenal Company – Supplies 633.39; Fedex – Postage 122.04; Ferrellgas – Supplies 73.32; First Bankcard – Expenses 2,229.45; First Impressions LLC – Supplies 300.00; First National Bank & Trust Company – Fees 174.78; Frontier – Utilities 4,904.78; Frontier Communications – Utilities 211.39; Gaeth Pest Control Services, Inc. – Service 285.00; Gale – Supplies 292.38; Galls – Supplies 1,125.35; Gaylord Brothers, Inc. – Supplies 1,319.14; GCSAA – Membership 340.00; Gehring Construction & Ready-Mix Company – Supplies 1,187.89; Geocomm, Inc. – E911 System Maintenance 33,577.00; Gerhold Concrete Company – Supplies 4,252.03; Fernando Gil – Service 20.00; Gilmore & Associates – Service 499.55; Good 4 You LLC – Supplies 179.28; Great American Outdoor – Supplies 47.71; Great Plains One Call Service – Service 268.23; The Greenkeeper – Chemicals 3,780.00; Ron Groene – Expenses 35.00; Hadley-Braithwait Company – Supplies 1,679.30; Juana Hanson – Service 30.00; Susan Haskell – Supplies 18.48; Hawkins, Inc. – Chemicals 14,450.99; HD Supply Waterworks Ltd – Supplies 955.19; HD Supply Waterworks Ltd – Valve Replacement 5,413.94; HDR Engineering, Inc. – Rail Study 3,136.29; Dean Hefti – Expenses 64.24; Hi-Lo Equipment Company – Service 152.40; Troy Hiemer – Expenses 264.24; Bob Hiner – Expenses 250.03; Hometown Leasing – Supplies 177.12; Stan Houston Equipment Co., Inc. – Service 2,559.00; Howard Johnson Riverside Inn – Lodging 860.00; Mark S Howerter MD – Contract 500.00; Huffman Engineering – SCADA Project 18,250.00; Hy-Vee, Inc. – Supplies 426.97; IBM Corporation – Service 1,026.00; Ingram Library Services, Inc. – Library Materials 8,593.23; Jackson Services, Inc. – Supplies 3,163.05; Jackson Services, Inc. – Rent 200.00; Randy Janicek – Expenses 209.41; Bradley J. & Amy C. Jareske – Expenses 15.00; JEO Consulting Group, Inc. – Loup River Levee Recertification 40,466.00; Johnson Controls – Service 1,485.00; K-C Auto Supply, Inc. – Supplies 4.61; Kapco – Supplies 6.99; Kelly Supply Company – Supplies

5,477.00; KNEN-FM 94 Rock – Advertising 700.00; Brad Koll – Expenses 60.00; Kralik's Sew Vac Center – Supplies 42.37; Michael Kratochvil – Expenses 30.80; Labor Relations Info System – Subscription 150.00; Lake Stop – Supplies 171.10; Lakeview Small Engine – Supplies 91.45; Larue Distributing, Inc. – Supplies 156.97; Layne Christensen Company – Pump, Motor & Cable Replacement 19,131.22; Richard Leffers – Expenses 215.32; Leigh Motor Service – Supplies 639.04; Liberty Cleaners – Service 13.00; Pete Lien & Sons, Inc. – Chemicals 4,446.40; Lincoln Winwater Works – Supplies 1,036.06; John Lohr – Expenses 165.58; Angelica Lopez – Service 40.00; Loup Power District – Utilities 96,210.13; M & O Door Products – Supplies 37.80; Magical Paradise Exotic Farm – Service 115.00; Mail Prep, Etc. – Postage 318.80; The Mailbox – Postage 4.25; Marley's Electric, Inc. – Service 289.97; Matheson-Linweld – Supplies 113.62; MCR Medical Supply, Inc. – Supplies 315.41; Mead Lumber Co-Columbus – Supplies 486.78; Menards – Supplies 2,246.03; Mettler-Toledo, Inc. – Service 536.00; Mid-America Cleaning Systems – Supplies 142.90; Mid-American Research Chemical – Supplies 2,869.80; Mid-Nebraska Repair & Construction – Batting Cage 7,185.00; Midwest Laboratories, Inc. – Service 1,224.00; Midwest Mini Melts – Supplies 1,310.40; Midwest Right of Way Services – Runway Expansion 2,956.74; Midwest Service & Sales – Supplies 1,784.86; Midwest Tape LLC – Supplies 819.78; Midwest Turf & Irrigation – Supplies 2,174.28; Mike's Towing – Service 2,493.54; Ginger Moon & Associates – Notary Bonds 80.00; Motion Industries, Inc. – Supplies 108.90; Shane Mueller – Service 146.50; NATP – Training 65.00; NCS Equipment Rental – Supplies 127.49; Nebraska Crime Commission – Supplies 60.00; Nebraska Cycling & Fitness – Supplies 1,158.99; Nebraska Department of Economic Development – Grants 4,773.73; Nebraska Environmental Products – Supplies 1,880.48; Nebraska Fire Chiefs Association – Dues 20.00; Nebraska Golf & Turf, Inc. – Service 187.80; Nebraska Harvestore Systems – Service 277.64; Nebraska Notary Association – Notary Renewals 98.25; Nebraska Public Health Environmental Laboratory – Service 1,562.00; Nebraska State Volunteer Firefighter's Association – Membership 1,335.00; Nebraska-Iowa Industrial Fasteners Corp – Supplies 153.25; Neighborworks Northeast Nebraska – Annual Dues 15,000.00; Marvin O Nelson – Pension 502.50; Tiffany Nelson – Refund 360.00; Nemaha Landscape Construction – Field Turf 275,419.80; Niemann's Port-A-Pot – Service 463.29; NMC Exchange LLC – Service 70.50; Northeast Economic Development, Inc. – Grant 136,982.00; Northeast Nebraska Economic Development District – Grant 858.86; Northeast Nebraska Economic Development District – Membership 22,111.00; Northeast Nebraska Solid Waste Coalition – Landfill Disposal 47,700.84; NoSwett Fencing & Decks – Supplies 8.44; Novicki Fire Prevention Service – Supplies 28.00; O'Keefe Elevator Company – Service 487.09; O'Reilly Automotive, Inc. – Supplies 104.37; Occupational Health Services – Service 254.00; OCLC, Inc. – Service 613.48; Officenet – Supplies 1,399.72; Rina Elizabeth Orellana – Service 20.00; Overturf Electric Motors – Lift Station Repairs 5,007.60; Gessica Paprocki – Expenses 40.00; The Parts Bin – Supplies 51.13; Peerless Wiping Cloth – Supplies 306.00; Pepsi Bottling Group – Supplies 1,990.36; Pet Care Specialists – Service 53.00;

Petty Cash – Expenses 193.14; Pioneer Hook & Ladder Company – Expenses 150.00; Pizza Ranch – Meals 125.96; Platte Center Screenprinting – Supplies 28.50; Platte County – Contract 2,750.00; PR Diamond Products – Supplies 605.00; Presto-X-Company – Service 177.19; Price Chopper Wristbands – Supplies 1,032.79; Quill Corporation – Supplies 52.46; Rae Systems, Inc. – Equipment 15,235.00; Rave Sports – Water Tubes 3,125.80; James Rawhouser Jr. – Expenses 35.00; Recorded Books LLC – Supplies 498.80; Redfield & Company – Supplies 273.37; Redstone Veterinary Clinic – Service 146.18; Ricoh Production Print – Service 479.15; Dona Ridenour – Service 52.00; Rose Equipment – Service 606.00; Nancy Saalfeld – Expenses 37.95; Sackett Electric – Service 1,557.79; Sapp Bros Columbus, Inc. – Fuel 9,436.13; Sapp Bros Petroleum, Inc. – Fuel 26,754.94; Schaben Industries – Service 67.20; Schieffer Signs, Inc. – Supplies 630.00; Schneider's O K Tire Company – Lease Payment 30.00; Schneider's O K Tire Company – Service 312.02; Schuyler Sun – Subscription 38.00; Sears Commercial One – Supplies 66.49; Security Equipment, Inc. – Service 593.00; Servicemaster By Shevlin – Service 1,626.00; Sipple, Hansen, Emerson & Schumacher – Service 2,712.00; Solid Waste Association of North America – Membership 234.00; Don Soulliere – Expenses 233.72; Matthew Soward – Expenses 10.79; Stanley Petroleum – Service 82.50; State of Nebraska Department of Revenue – Sales Tax 35,751.13; Gene Steffy Ford – Service 34.91; Stericycle, Inc. – Supplies 174.64; Leah Stevens – Expenses 60.00; Karen Stuart – Expenses 70.00; Super Saver – Supplies 80.42; Swisher Hygiene Franchisee – Supplies 262.35; Sysco Lincoln – Supplies 8,660.18; T & L Services – Service 525.00; Cindy Ternus – Service 20.00; Three Eagles Communications – Advertising 845.00; Tool Shed Supply and Maintenance LLC – Supplies 28.68; Totalfunds by Hasler – Postage 1,000.00; Tractor Supply Credit Plan – Supplies 300.50; Tri-County Truck Repair – Service 84.41; Jim Tubbs – Expenses 271.05; Turfwerks – Supplies 271.95; Jerry Tworek – Service 586.00; Typhoon Wash – Service 48.00; U & I Sanitation – Service 83.00; U S Bank – Expenses 96.21; Ultra Graphics – Supplies 803.81; United States Post Office – Postage 1,977.32; UPS Store – Postage 65.02; Upstart – Supplies 12.50; USA Blue Book – Supplies 448.66; Van Diest Supply Company – Chemicals 4,010.70; Vander Haags, Inc. – Supplies 2,125.00; Verizon Wireless – Utilities 5,861.95; Walmart Community – Supplies 2,002.79; Waste Connections of Nebraska – Service 328.43; Weldon Parts, Inc. – Service 620.00; Wells Fargo Bank – Bond Payment 925.00; Wemhoff Refrigeration, Inc. – Service 147.18; Travis Went – Refund 39.70; West Payment Center – Supplies 469.00; West Point Implement of Columbus – Supplies 444.98; Wilke Landscape Center – Supplies 665.93; Jody Wilkerson – Refund 63.00; Donna Winig – Expenses 90.88; Wolters Kluwer Law & Business – Supplies 401.00; Yamaha Golf & Equipment – Supplies 243.28; Gib Zaruba – Expenses 30.55; Zee Medical Service – Supplies 673.30. TOTAL 1,583,616.99.

Moved by Bogus, seconded by Schilling, the items on the consent agenda, being routine in nature, be approved as presented. Roll call and Council Members Augustine-

Schulte, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay". Council Member Bahr was absent. Motion carried.

PUBLIC HEARING – APPLICATION OF NORBERT ZOUCHA FOR FINAL PLAT AND SUBDIVISION AGREEMENT OF SUNSIDE SUBDIVISION (VICINITY OF MINDEN DRIVE AND KOZY DRIVE): The Affidavit of Publication and Notice of Hearing were presented on the application of Norbert Zoucha for the final plat and subdivision agreement of Sunside Subdivision located in the Southeast 1/4 of the Northwest 1/4 of Section 15, Township 17 North, Range 1 East of the 6th P.M., Platte County, Nebraska (vicinity of Minden Drive and Kozy Drive). A memorandum was presented from City Engineer Goedeken submitting detailed information and a staff recommendation to approve the final plat with the following contingencies: 1) a storm water plan with existing and proposed elevations is submitted; and 2) a signed subdivision agreement is submitted. It was noted that the developer will be required to pave the proposed streets to city standards. The Planning Commission recommended approval. No one appeared in opposition and no one spoke regarding this issue. Moved by Bogus, seconded by Bulkley, the public hearing be closed. Roll call and Council Members Augustine-Schulte, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay". Council Member Bahr was absent. Motion carried.

RESOLUTION NO. R12-63 WAS INTRODUCED BY COUNCIL MEMBER JABLONSKI.

RESOLUTION NO. R12-63
ADOPTED: JUNE 18, 2012

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, ACCEPTING THE DEED OF DEDICATION TO A PARCEL OF LAND LEGALLY DESCRIBED AS: A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) OF SECTION FIFTEEN (15), TOWNSHIP SEVENTEEN (17) NORTH, RANGE ONE (1) EAST OF THE 6TH P.M., PLATTE COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF JOHANNES 2ND SUBDIVISION, SAID POINT BEING ON THE SOUTH LINE OF THE NORTHWEST 1/4 OF SECTION 15, T17N, R1E OF THE 6TH P.M., PLATTE COUNTY, NEBRASKA; THENCE N 00°00'14" W ON THE EAST LINE OF SAID JOHANNES 2ND SUBDIVISION, 183.98 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF "MINDEN DRIVE"; THENCE S 89°38'01" W ON SAID NORTH RIGHT-OF-WAY LINE, 25.08 FEET TO A POINT ON THE EAST LINE OF SAID JOHANNES 2ND SUBDIVISION; THENCE N 00°05'15" W ON SAID EAST, 449.94 FEET TO THE SOUTHWEST CORNER OF JOHANNES 4TH SUBDIVISION; THENCE N 89°49'57" E ON THE SOUTH LINE OF SAID JOHANNES 4TH SUBDIVISION, 155.08 FEET; THENCE S 75°15'15" E ON SAID SOUTH LINE, 62.07 FEET; THENCE N 89°51'58" E ON SAID NORTH LINE, 198.00 FEET; THENCE S 00°06'36" E AND PERPENDICULAR TO THE SOUTH LINE OF SAID NORTHWEST 1/4, 494.15 FEET; THENCE S 89°53'24" W AND PARALLEL TO SAID SOUTH LINE, 48.00 FEET;

THENCE S 00°06'36" E AND PERPENDICULAR TO SAID SOUTH LINE, 123.99 FEET TO A POINT ON SAID SOUTH LINE; THENCE S 89°53'24" W ALONG THE SOUTH LINE, 340.59 FEET TO THE POINT OF BEGINNING, CONTAINING 5.67 ACRES, MORE OR LESS, HEREINAFTER TO BE KNOWN AS "SUNSIDE SUBDIVISION"; APPROVING THE PLAT THEREOF AND APPROVING THE SUBDIVISION AGREEMENT PROVIDING FOR THE PUBLIC IMPROVEMENTS TO SERVE SUNSIDE SUBDIVISION.

City Administrator Mangiamelli stated that adoption of this resolution will be contingent on submittal of the storm water plan. Moved by Jablonski, seconded by Augustine-Schulte, Resolution No. R12-63 be passed and adopted. Roll call and Council Members Augustine-Schulte, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay". Council Member Bahr was absent. Motion carried.

PUBLIC HEARING – APPLICATION OF FARM CREDIT SERVICES OF AMERICA, FLCA TO REZONE A TRACT OF LAND AT 18TH AVENUE AND LOST CREEK PARKWAY FROM "RR" (RURAL RESIDENTIAL DISTRICT) TO "UC" (URBAN COMMERCIAL DISTRICT) AND TO AMEND THE FUTURE LAND USE MAP OF THE

COMPREHENSIVE PLAN: The Affidavit of Publication and Notice of Hearing were presented on the application of Farm Credit Services of America, FLCA to rezone a tract of land located in the S1/2 of the NW1/4, Section 8, T17N, R1E of the 6th P.M., Platte County, Nebraska (18th Avenue and Lost Creek Parkway) from "RR" (Rural Residential District) to "UC" (Urban Commercial District) and to amend the Future Land Use Map of the Comprehensive Plan to reflect the same change in zoning. The Affidavit of Posting and Mailing Notices was presented. A memorandum was also presented from Community Development Director Curtis submitting detailed information and a staff recommendation to approve the rezoning and amend the Future Land Use Map of the Comprehensive Plan to reflect the same change in zoning. The Planning Commission recommended approval. No one appeared in opposition and no one spoke regarding this issue. Moved by Bulkley, seconded by Lohr, the public hearing be closed. Roll call and Council Members Augustine-Schulte, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay". Council Member Bahr was absent. Motion carried.

ORDINANCE NO. 12-10 WAS INTRODUCED BY COUNCIL MEMBER LOHR.

ORDINANCE NO. 12-10
DATED: JUNE 18, 2012

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA TO AMEND THE CITY OF COLUMBUS LAND DEVELOPMENT ORDINANCE OF 1996, ZONING CHAPTER, UNDER ORDINANCE NO. 96-08, AS AMENDED, DATED MARCH 18, 1996, AND ADOPTED AUGUST 4, 1997 AS THE OFFICIAL ZONING CODE OF COLUMBUS BY ORDINANCE NO. 97-17; TO REZONE AND RECLASSIFY THE FOLLOWING DESCRIBED REAL ESTATE, TO WIT: A TRACT OF LAND LOCATED IN THE S1/2 OF THE NW1/4 SECTION 8, T17N, R1E OF

THE 6TH P.M., PLATTE COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: REFERRING TO THE SOUTHWEST CORNER OF SAID S1/2 NW1/4; THENCE N 00°06'08" W (ALL BEARINGS ARE REFERENCES FROM TRUE NORTH OBSERVED AT THE NORTHEAST CORNER, SECTION 36, T17N, R1W), 778.03 FT. ON THE WEST LINE OF SAID S1/2 NW1/4 TO THE POINT OF BEGINNING; THENCE CONTINUING N 00°06'08' W, 239.24 FT. ON THE WEST LINE OF SAID S1/2 NW1/4; THENCE FOR THE NEXT 7 COURSES ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE LOST CREEK FLOOD CONTROL PROJECT: 1) N 89°54'17" E, 32.87 FT., 2) N 00°03'35" W, 149.88 FT., 3) N 89°54'17" E, 279.68 FT., 4) S 80°41'23" E, 273.81 FT., 5) S 60°58'02" E, 246.44 FT., 6) S 50°44'53" E, 1131.04 FT., 7) S 50°44'42" E, 91.14 FT.; THENCE S 00°43'39" E, 81.99 FT.; THENCE N 68°59'36" W, 917.61 FT. ALONG LOST CREEK PARKWAY'S NORTHEAST RIGHT-OF-WAY LINE; THENCE NORTHWESTERLY 938.20 FT. ON A 12003.50 RADIUS CURVE CONCAVED TO THE SOUTHWEST (LONG CHORD BEARS N 71°18'23" W, 937.96 FT.) ALONG SAID RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING, CONTAINING 14.94 ACRES MORE OR LESS, WHICH INCLUDES 0.18 ACRES USED FOR ROAD PURPOSES, FROM THE PRESENT ZONING CLASSIFICATION OF "RR" (RURAL RESIDENTIAL DISTRICT) TO "UC" (URBAN COMMERCIAL DISTRICT), TO AMEND THE ZONING MAP WHICH HAS BEEN ADOPTED BY AND MADE A PART OF SAID COLUMBUS, NEBRASKA LAND DEVELOPMENT ORDINANCE OF 1996, ZONING CHAPTER, TO SHOW SAID REZONING AND RECLASSIFICATION; TO REPEAL ALL ORDINANCES AND RESOLUTIONS OR PARTS THEREOF IN CONFLICT HEREWITH; AND TO PROVIDE FOR THE EFFECTIVE DATE.

Moved by Lohr, seconded by Schilling, the rules be suspended and Ordinance No. 12-10 be read by number only at this meeting. Roll call and Council Members Augustine-Schulte, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay". Council Member Bahr was absent. Motion carried and Ordinance No. 12-10 was read by number only at this meeting.

Moved by Lohr, seconded by Schilling, Ordinance No. 12-10 be passed and adopted. In response to Council Member Bogus, Aaron Hartung, Clark Enersen Partners, explained that the design of a septic system for the sewer is currently in progress. Hartung also explained that water is available to the site and will be connected once the infrastructure has been completed. City Administrator Mangiamelli stated that requests for proposals have been solicited for a feasibility study of possible alternatives, as well as estimated costs, for extending sanitary sewer service from existing mains to areas adjacent to Lost Creek Parkway and the city will work with Farm Credit Services at a later date on an agreement for connecting to the sanitary sewer. Hartung explained the plans to build a larger office and displayed illustrations of the proposed single story, Frank Lloyd Wright design building. In response to Mayor Moser, Mangiamelli pointed out that this property is not contiguous to the city limits but is within the two mile zoning jurisdiction.

Mayor Moser put the question, "Shall Ordinance No. 12-10 be passed and adopted?" Roll call and Council Members Augustine-Schulte, Bogus, Bulkley, Schilling, Jablonski,

Lohr and Reardon voted "Aye" and none voted "Nay". Council Member Bahr was absent. Motion carried.

Mayor Moser declared, "By your action, you have passed Ordinance No. 12-10," and it was duly signed.

PUBLIC PROPERTY, SAFETY AND WORKS COMMITTEE REPORT - REQUEST OF RALPH WEEDER, LINDSAY, NE, AND COLUMBUS CITIZENS WHO HAVE CONTACTED MAYOR MOSER ASKING FOR "FLASHING WARNING LIGHTS" TO BE INSTALLED ON NORTH, SOUTH, EAST AND WEST SIDES OF INTERSECTION OF LOST CREEK PARKWAY AT WILDERNESS ROAD:

The report of the Public Property, Safety and Works Committee was presented with the recommendation to consider the placement of flashing warning lights on the Lost Creek Parkway at Wilderness Road. Moved by Bogus, seconded by Schilling, this report be adopted. Mayor Moser distributed photographs showing skid marks at this intersection and stressed the need for warning lights to be located on all four sides of the intersection. Council Member Lohr questioned the timing of the pedestrian light and City Administrator Mangiamelli said the Traffic Control Device Committee would assess this issue. Council Member Bulkley stated that truck drivers adhering to the 50 miles per hour speed limit have difficulty stopping at the east/west signals once the light turns yellow. Mayor Moser pointed out that the cost of four flashing warning lights is approximately \$50,000 and Council Member Reardon said the cost is justifiable for the safety of citizens. Mike Dixon, 19219 310th Street, distributed and read a letter regarding the loss of his son due to an accident at this intersection. Dixon's testimony centered on the timing of the traffic lights, the amount of traffic and the need for four flashing warning lights at this intersection. Tom Cleary, 3378 Fairlane Avenue, referred to the cost of the warning signals, the amount of traffic as well as the excessive speed of travelers on the Lost Creek Parkway and spoke in favor of flashing lights in all four directions. Jim Smith, 309 SE Calle Colombo and owner of a trucking firm, and Dave Ebke, 4406 60th Street, spoke in favor of flashing lights in all four directions due to their experience traveling on Lost Creek Parkway. Smith also asked if the timing of the east/west lights could be changed prior to installation of the flashing lights. Mangiamelli explained that implementing this project now will require an amendment to the One and Six Year Plan and either a budget amendment or substitution of one project for another in the current budget. Finance Director Kinnison explained the mechanics of the city's all-purpose budget and pointed out that the 2011-2012 fiscal year budget is approximately \$50 million. Discussion followed regarding possible timetables for this project to be bid and consensus of the Mayor and Council was to bid the project as soon as possible. Roll call and Council Members Augustine-Schulte, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay". Council Member Bahr was absent. Motion carried.

PUBLIC PROPERTY, SAFETY AND WORKS COMMITTEE REPORT - SIDEWALK REPAIR AT 2058 AND 2065 40TH AVENUE; 1663 AND 2173 38TH AVENUE; 3809, 3904, 3905 AND 3916 ADAMY STREET; 3706, 3816, 3817, 3912, 3915 AND 3917 21ST STREET; 1960, 1969, 1970, 2057, 2070, 2153 AND 2159 37TH AVENUE; 3821

AND 3921 12TH STREET; 3919 13TH STREET; 3617, 3618 AND 3703 HOWARD BOULEVARD; 3704 AND 3722 16TH STREET: The report of the Public Property, Safety and Works Committee was presented with the recommendation that the owners of the properties at the following locations be ordered to repair the sidewalks by August 31, 2012, in accordance with City Code: 2058 and 2065 40th Avenue; 1663 and 2173 38th Avenue; 3809, 3904, 3905 and 3916 Adamy Street; 3706, 3816, 3817, 3912, 3915 and 3917 21st Street; 1960, 1969, 1970, 2057, 2070, 2153 and 2159 37th Avenue; 3821 and 3921 12th Street; 3919 13th Street; 3617, 3618 and 3703 Howard Boulevard; 3704 and 3722 16th Street. Moved by Bogus, seconded by Schilling, this report be adopted. Roll call and Council Members Augustine-Schulte, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay". Council Member Bahr was absent. Motion carried.

APPOINTMENT OF CHRIS NELSON TO PLANNING COMMISSION FOR THREE-YEAR TERM: A memorandum was presented from Mayor Moser submitting the name of Chris Nelson for appointment to the Planning Commission for a three-year term. Council President Bogus read a brief resume and it was moved by Bulkley, seconded by Jablonski, to ratify the Mayor's appointment. Roll call and Council Members Augustine-Schulte, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay". Council Member Bahr was absent. Motion carried.

APPLICATION OF EL TAPATIO MEXICAN RESTAURANT, 2721 13TH STREET, FOR SPECIAL DESIGNATED LICENSE TO SERVE BEER, WINE AND DISTILLED SPIRITS ON 28TH AVENUE BETWEEN 13TH AND 12TH STREET, COLUMBUS, NEBRASKA, 9 P.M. TO 12:45 A.M., JULY 21, 2012 IN CONJUNCTION WITH 20TH ANNIVERSARY CELEBRATION: An application was presented from La Familia Lopez Inc. dba El Tapatio Mexican Restaurant, 2721 13th Street, for a Special Designated License to serve beer, wine and distilled spirits on 28th Avenue between 13th and 12th Street, Columbus, Nebraska, 9 p.m. to 12:45 a.m., July 21, 2012 in conjunction with their 20th anniversary celebration. The Police Department recommended denial. The City Administrator recommended approval. Moved by Bogus, seconded by Lohr, the Special Designated License be approved. Roll call and Council Members Augustine-Schulte, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay". Council Member Bahr was absent. Motion carried. Council Member Augustine-Schulte congratulated Fernando Lopez, General Manager of El Tapatio, on their 20 years in business.

REQUEST OF EL TAPATIO TO HAVE A SEVEN MINUTE FIREWORKS DISPLAY 64 FEET NORTH OF 12TH STREET ON 28TH AVENUE AT APPROXIMATELY 9:30 P.M. ON JULY 21, 2012 IN CONJUNCTION WITH 20TH ANNIVERSARY CELEBRATION: A request was presented from El Tapatio to have a seven minute fireworks display 64 feet north of 12th Street on 28th Avenue at approximately 9:30 p.m. on July 21, 2012 in conjunction with their 20th anniversary celebration. The Fire Department and City Administrator recommended denial. Moved by Bogus, seconded by Bulkley, the request for a fireworks display be approved. Fire Chief Hefti explained city staff's concerns with safety due to the age of the buildings in the area and the

possibility of hot embers from fireworks landing on the tar roofs. Fernando Lopez, General Manager of El Tapatio, explained that Marv Kohler, owner of Marv's Fireworks, will be responsible for conducting the fireworks display. Lopez referred to Kohler's years of experience, explained the type of fireworks that will be displayed and pointed out that adequate insurance is in place. Council Member Jablonski commended Lopez on his 20 year anniversary but expressed concerns about the fact that his own business is in close proximity to the fireworks display area. Council Members Bulkley and Reardon also expressed concerns regarding the precedent this may set. Council President Bogus pointed out that the proposed fireworks are the same type that residents are permitted to use during the approved periods. Roll call and Council Members Augustine-Schulte, Bogus and Schilling voted "Aye" and Bulkley, Jablonski, Lohr and Reardon voted "Nay". Council Member Bahr was absent. Motion failed.

COMMENTS FROM MAYOR AND CITY COUNCIL MEMBERS: Council Member Augustine-Schulte stated that she attended one of the Library's Strategic Planning sessions and was extremely impressed with Mary Ellen Santiago, Santiago Library Consultant and Facilitator for the Stakeholder Group.

Mayor Moser announced that the Mayor's "Roundtable Discussion" will be held on June 26 at 7 p.m. in the Columbus City Council Chambers. Mayor Moser stated that Finance Director Kinnison will outline the annual budget calendar process and County Attorney/Coroner Carl Hart will explain his role as County Attorney as well as what citizens can do to avoid accidents. Mayor Moser also stated that Police Chief Gumm will explain how the Police Department and County Attorney work together and said Council Member Reardon as well as City Administrator Mangiamelli will participate in the discussion.

RESOLUTION NO. R12-64 WAS INTRODUCED BY COUNCIL MEMBER BULKLEY.

RESOLUTION NO. R12-64
ADOPTED: JUNE 18, 2012

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA TO APPROVE AND ACCEPT AN AGREEMENT BETWEEN THE CITY OF COLUMBUS AND THE CITY OF COLUMBUS POLICE DEPARTMENT FRATERNAL ORDER OF POLICE, LODGE NO. 72.

City Administrator Mangiamelli stated that the Police Union membership will vote on approval of this agreement at their June 24, 2012 meeting. Moved by Bulkley, seconded by Bogus, Resolution No. R12-64 be passed and adopted. Roll call and Council Members Augustine-Schulte, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay". Council Member Bahr was absent. Motion carried.

RESOLUTION NO. R12-65 WAS INTRODUCED BY COUNCIL MEMBER AUGUSTINE-SCHULTE.

RESOLUTION NO. R12-65
ADOPTED: JUNE 18, 2012

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, TO AWARD A CONTRACT TO GEHRING CONSTRUCTION AND READY MIX CO., INC., COLUMBUS, NEBRASKA, IN THE AMOUNT OF \$293,657.35, BEING THE LOWEST RESPONSIBLE BID RECEIVED FOR THE STREET CONSTRUCTION 2012 PROJECT.

Moved by Augustine-Schulte, seconded by Bogus, Resolution No. R12-65 be passed and adopted. Roll call and Council Members Augustine-Schulte, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay". Council Member Bahr was absent. Motion carried.

CHANGE ORDER NO. 1 IN AMOUNT OF \$62,500.15 FOR WALKING TRAIL ALONG 8TH STREET FROM VAN BERG DRIVE TO LAKESHORE DRIVE: A memorandum was presented from City Engineer Goedeken recommending that the city approve Change Order No. 1 in the amount of \$62,500.15 from Gehring Construction and Ready Mix Co., Inc. for a walking trail along 8th Street from Van Berg Drive to Lakeshore Drive. It was noted that \$35,000 was included in the budget for this project. Moved by Augustine-Schulte, seconded by Reardon, Change Order No. 1 be approved. Mayor Moser referred to the number of vehicles, pedestrians and bicyclists who utilize this street, distributed photographs and said he feels a walking trail is crucial for the safety of these pedestrians and bicyclists as this street is adjacent to a public park. Mayor Moser referred to an opinion from City Attorney Hansen and pointed out the potential for liability where there is a combination of vehicles and pedestrians on the same street. Extensive discussion followed with regard to the necessity, the location for placement and the size of the proposed trail. Jason Buss, 49 Park Circle Drive and President of Columbus Area Recreational Trails (CART), stated that there are a number of residents of Stires Lake and Wagners Lake as well as the general public who use 8th Street into the lake property area as an extension of the existing trails and said he feels the width of the trail is critical for safety. Tom Cleary, 3378 Fairlane Avenue, referred to the public park amenities in the area and said the path should be wheel chair accessible. In response to Mayor Moser, City Attorney Hansen pointed out that the law clearly states that a safe road must be provided. Further discussion was held with regard to the feasibility of utilizing the trail as an additional access to the lake area. Roll call and Council Members Augustine-Schulte, Jablonski and Reardon voted "Aye" and Bogus, Bulkley, Schilling and Lohr voted "Nay". Council Member Bahr was absent. Motion failed. Moved by Lohr, seconded by Schilling, to approve construction of a six foot wide, six inch thick path. Following discussion with regard to the unknown cost for this size of path as well as the possibility of seeking assistance from CART, Council Member Lohr, with the consent of his second, withdrew his motion. Consensus of the Council was to direct city staff to provide estimates of cost for various sizes of paths as well as provide time for CART to determine whether assistance can be provided.

RESOLUTION NO. R12-66
CONTINUED TO JULY 2, 2012

A RESOLUTION OF THE CITY OF COLUMBUS, NEBRASKA CALLING FOR REDEMPTION AND PAYMENT PRIOR TO MATURITY OF (A) SUBORDINATE COMBINED REVENUE BONDS, SERIES 2004, DATED AS OF MAY 15, 2004, IN THE PRINCIPAL AMOUNT OF FOUR MILLION ONE HUNDRED FIFTY-FIVE THOUSAND DOLLARS (\$4,155,000), AND (B) COMBINED REVENUE BONDS, SERIES 2007, DATED AS OF AUGUST 15, 2007, IN THE PRINCIPAL AMOUNT OF ONE MILLION EIGHT HUNDRED THOUSAND DOLLARS (\$1,800,000).

Resolution No. R12-66 was read by title only. City Administrator Mangiamelli recommended this resolution be continued to the July 2, 2012 City Council meeting. Moved by Bulkley, seconded by Schilling, Resolution No. R12-66 be continued to the July 2, 2012 City Council meeting. Roll call and Council Members Augustine-Schulte, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay". Council Member Bahr was absent. Motion carried.

ORDINANCE NO. 12-09
SECOND READING

AN ORDINANCE OF THE CITY OF COLUMBUS, NEBRASKA AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF APPROXIMATELY \$6,000,000 AGGREGATE PRINCIPAL AMOUNT OF COMBINED REVENUE REFUNDING BONDS, SERIES 2012, OF THE CITY FOR THE PURPOSE OF PROVIDING FUNDS, TOGETHER WITH OTHER AVAILABLE FUNDS OF THE CITY, FOR THE PAYMENT AND REDEMPTION OF (A) \$4,155,000 PRINCIPAL AMOUNT OF SUBORDINATE COMBINED REVENUE AND REFUNDING BONDS, SERIES 2004, AND (B) \$1,800,000 PRINCIPAL AMOUNT OF COMBINED REVENUE BONDS, SERIES 2007; PRESCRIBING THE FORM AND DETAILS OF THE BONDS AND THE COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; AND AUTHORIZING CERTAIN ACTIONS AND DOCUMENTS AND PRESCRIBING OTHER MATTERS RELATING THERETO.

City Administrator Mangiamelli read Ordinance No. 12-09 by title only and requested this ordinance be continued for a third reading on July 2, 2012. Phil Lorenzen, D.A. Davidson & Co. and Bond Underwriter for the City of Columbus, commended the City of Columbus for continuing with the Standard & Poor's AA- rating on the utility system. Lorenzen explained that due to global economic conditions as well as the fact there was not sufficient time following the issuance of the Standard & Poor's report, he along with city staff felt it was not in the best interest of the city to rush into the market place during an adverse economy. Lorenzen further explained that he feels waiting until the July 2nd City Council meeting will be beneficial to the city as it will provide for two full weeks to market. Lorenzen pointed out that the July 4th holiday generally finds an absence of demand for bonds as buyers typically take time off in advance of the holiday and he

feels the last week of June may be a good marketing period. Lorenzen described the risks involved with entering or deferring the market, said he recommends marketing the bonds prior to the 4th of July holiday for a savings of approximately \$800,000 and is seeking direction from the Council on how to proceed. Consensus of the City Council was to proceed with marketing the bonds.

CONSIDERATION OF PAYROLL AND BILLS ON FILE: ARL Credit Services – Service \$1,097.88; Reardon Lawn & Garden, Inc. – Service \$1,314.59. TOTAL \$2,412.47. Council Member Jablonski requested to be excused from discussion on this agenda item because he is an owner of ARL Credit Services and therefore has a conflict of interest. Council Member Reardon requested to be excused from discussion on this agenda item because he is an owner of Reardon Lawn & Garden, Inc. and therefore has a conflict of interest. Moved by Bogus, seconded by Augustine-Schulte, Council Members Jablonski and Reardon be allowed to abstain from voting on this agenda item and to suspend the City Council rules requiring them to leave the Council Chambers during the discussion and vote on this agenda item. Roll call and Council Members Augustine-Schulte, Bogus, Bulkley, Schilling and Lohr voted “Aye” and none voted “Nay.” Council Members Jablonski and Reardon abstained from voting. Council Member Bahr was absent. Motion carried. Moved by Bogus, seconded by Schilling, to approve the bills on file. Roll call and Council Members Augustine-Schulte, Bogus, Bulkley, Schilling and Lohr voted “Aye” and none voted “Nay.” Council Members Jablonski and Reardon abstained from voting. Council Member Bahr was absent. Motion carried.

Moved by Bulkley, seconded by Lohr, the meeting be adjourned. Roll call and Council Members Augustine-Schulte, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted “Aye” and none voted “Nay”. Council Member Bahr was absent. Motion carried and the meeting was adjourned at 9:32 p.m.

Presented and approved this 2nd day of July, 2012.

MAYOR

ATTEST:

CITY CLERK